

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Michael Grimmett,

Plaintiff,

v.

No. 12-cv-943 (JNE/LIB)
ORDER

Minnesota Department of Corrections, et al.,

Defendants.

This matter is before the Court on a Report and Recommendation issued by United States Magistrate Judge Leo I. Brisbois on May 14, 2014. ECF No. 70. No objections were filed. After a de novo review of the record, the Court now adopts the Report and Recommendation.

Based on the files, records, and proceedings herein, and for the reasons stated above, IT IS ORDERED THAT:

1. Plaintiff's remaining 42 U.S.C. § 1983 claim (against Defendant Fairbanks at Count I of the Complaint) is DISMISSED WITH PREJUDICE.
2. Plaintiff's remaining state law claims (against Defendant Fairbanks and Defendant Officer Doe at Count IV of the Complaint) are DISMISSED WITHOUT PREJUDICE.
3. Defendants' Motion for Summary Judgment [ECF No. 50] is DENIED AS MOOT.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: June 17, 2014

s/Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge